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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,563	12/12/2003	Joseph A. Sorge	25436/2345C

27495  
 PALMER & DODGE, LLP  
 KATHLEEN M. WILLIAMS / STR  
 111 HUNTINGTON AVENUE  
 BOSTON, MA 02199

CONFIRMATION NO. 2401

## FORMALITIES LETTER



\*OC000000013938742\*

Date Mailed: 09/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/01/2004 HLE333 00000089 160085 10734563

01 FC:2051 65.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Y.G.  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Docket No.: 25436/2345C PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Sorge, et al.	Examiner:	Not Yet Assigned
Serial No.:	10/734,563		
Filed:	December 12, 2003	Group Art Unit:	1652
Entitled:	DNA POLYERMASE COMPOSITIONS FOR QUANTITATIVE PCR AND METHODS THEREOF	Conf. No.:	2401

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Sir:

This is filed in response to the Notice to File Missing Parts of Non-Provisional Application mailed September 29, 2004. The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 25436/2345C which includes:

1. The Notice stated that the Declaration is missing. An executed Declaration/Power of Attorney is enclosed.
  - a) \$65.00 surcharge for late filing fee for declaration; and
2. The Notice stated that Applicant must provide a computer readable and paper copy of the Sequence Listing, as well as an amendment directing its entry into the application. Applicant must also provide a Statement Under 37 C.F.R. §1.821(f) and (g).

A computer readable and paper copy of the Sequence Listing is enclosed.  
An amendment and Statement Under 37 C.F.R. §1.821(f) and (g) are also submitted herewith.

Date: November 29, 2004

Respectfully submitted,

Name: Kathleen M. Williams  
Registration No.: 34,380  
Customer No.: 27495  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



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Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts mailed September 29, 2004;
2. Copy of Notice to File Missing Parts - Part 2;
3. Executed Declaration and Power of Attorney;
4. Sequence Listing in Paper and Disc Format;
5. Transmittal of Sequence Listing and Preliminary Amendment in Response to Notice to Comply with 37 C.F.R. §§1.821-1.825;
6. Statement Under 37 C.F.R. §1.821(f) and (g);
7. Request to Correct Filing Receipt;
8. Copy of Filing Receipt with changes highlighted in red;
9. Updated Application Data Sheet; and
10. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 25436/2345C. A duplicate of this transmittal letter is enclosed for this purpose.

Date: November 29, 2004

Respectfully submitted,

  
Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 27495

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

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